

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Seiki TOMITA et al.

Group Art Unit: 3739

Application No.: 09/648,547

Examiner: D. Shay

Filed: August 28, 2000

Docket No.: 107126

For: LASER TREATMENT APPARATUS

SUBMISSION OF NEW DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Request for Continued Examination was filed in the above-identified application on June 8, 2004.

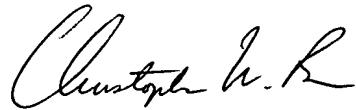
In the December 8, 2003 Final Rejection, the Patent Office alleged that the originally filed Declaration was defective. However, Applicants argued in the Amendment After Final Rejection filed on June 2, 2004, that the originally filed Declaration was not defective, the address change of Shinichi Matsuura written on the originally filed Declaration having been validated by the inventor's signature.

Nevertheless, in an effort to fully obviate the objection to the Declaration, submitted herewith is a newly executed Declaration by the inventors.

Applicants thus respectfully request entry of this new Declaration and reconsideration and withdrawal of the objection to the originally filed Declaration.

Favorable consideration and prompt allowance of pending claims 1-3, 5 and 7-13 are earnestly solicited. Should the Examiner believe that anything is necessary in order to place this application in condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Christopher W. Brown
Registration No. 38,025

JAO:CWB/rav

Date: July 15, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE
AUTHORIZATION
Please grant any extension
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APPLICATION FOR UNITED STATES PATENT DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: LASER TREATMENT APPARATUS

described and claimed in the specification:

Check one

- *a. attached hereto.
- b. filed on August 28, 2000 as Application No. 09/648,547.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

Under Title 35, U.S. Code §119, the priority benefits of the following foreign application(s) and/or United States provisional application(s) filed by me or my legal representatives or assigns within one year prior to this application are hereby claimed:

Japanese Patent Application No. 11-247192 filed September 1, 1999 in Japan

Japanese Patent Application No. 11-276481 filed in September 29, 1999 in Japan

The following application(s) for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to this application, or (b) before the filing date of the above-named foreign priority application(s) and/or United States provisional application(s):

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office:

James A. Oliff, Reg. No. 27,075; William P. Berridge, Reg. No. 30,024;
 Kirk M. Hudson, Reg. No. 27,562; Thomas J. Pardini, Reg. No. 30,411;
 Edward P. Walker, Reg. No. 31,450; Robert A. Miller, Reg. No. 32,771;
 Mario A. Costantino, Reg. No. 33,565; Joel S. Armstrong, Reg. No. 36,430;
 Christopher W. Brown, Reg. No. 38,025; Richard E. Rice, Reg. No. 31,560;
 Paul Tsou, Reg. No. 37,956; and Eric D. Morehouse, Reg. No. 38,565.

**ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE,
PLC, P.O. BOX 19928, ALEXANDRIA, VIRGINIA 22320, TELEPHONE (703) 836-6400.**

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	Typewritten Full Name of First or Sole Inventor	Seiki	TOMITA
2	**Inventor's Signature:	Given Name <i>Seiki</i>	Middle Initial
3	**Date of Signature:	6	Family Name <i>Tomita</i>
		Month 6	Year 2004
	Residence:	City Gamagori-shi	State or Province Aichi
	Citizenship:	Country JAPAN	
	Post Office Address: (Insert complete mailing address, including country)	7-1, Hosoda, Katahara-cho, Gamagori-shi, Aichi, 443-0104 JAPAN	

*If Box (a.) is checked, this form may be executed only when attached to the specification (including claims).

**Note to Inventor: Please sign name exactly as it appears above and insert actual date of signing.

IF THERE IS MORE THAN ONE INVENTOR USE PAGE 2 AND PLACE AN "X" HERE

PAGE 2 OF U.S.A. DECLARATION FORM
(Discard this page in a sole inventor application)

1	Typewritten Full Name of Second Joint Inventor (if any)	Shinichi	Middle Initial	MATSUURA
2	**Inventor's Signature:	Given Name <i>Shinichi</i>	Month	Family Name <i>Matsuura</i>
3	**Date of Signature:	6	Day	Year <i>2004</i>
Residence:	Gamagori-shi	Aichi	JAPAN	
Citizenship:	Japanese	State or Province	Country	
Post Office Address: (Insert complete mailing address, including country)	28-1, Isegi, Takenoya-cho Gamagori-shi, Aichi, 443-0046 JAPAN			
1	Typewritten Full Name of Third Joint Inventor (if any)	Yasuyuki	NAITO	
2	**Inventor's Signature:	Given Name <i>Yasuyuki</i>	Middle Initial	Family Name <i>Naito</i>
3	**Date of Signature:	June	Day	Year <i>2004</i>
Residence:	Nukata-gun	Aichi	JAPAN	
Citizenship:	Japanese	State or Province	Country	
Post Office Address: (Insert complete mailing address, including country)	135, Aza Nakata, Oaza Ashinoya, Kota-cho Nukata-gun, Aichi, 444-0116 JAPAN			
1	Typewritten Full Name of Fourth Joint Inventor (if any)	Given Name	Middle Initial	Family Name
2	**Inventor's Signature:	Month	Day	Year
3	**Date of Signature:			
Residence:	City	State or Province	Country	
Citizenship:	Post Office Address: (Insert complete mailing address, including country)			
1	Typewritten Full Name of Fifth Joint Inventor (if any)	Given Name	Middle Initial	Family Name
2	**Inventor's Signature:	Month	Day	Year
3	**Date of Signature:			
Residence:	City	State or Province	Country	
Citizenship:	Post Office Address: (Insert complete mailing address, including country)			

Note to Inventors: Please sign name exactly as it appears and insert the actual date of signing.

This form may be executed only when attached to the first page of the Declaration and Power of Attorney form of the application to which it pertains.